



GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

JEREMIAH W. JAY NIXON  
GOVERNOR

P.O. Box 720  
(573) 751-3222

July 13, 2009

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 147 entitled:

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the Missouri healthy workplace recognition program.

I disapprove of House Committee Substitute for Senate Bill No. 147. My reasons for disapproval are as follows:

House Committee Substitute for Senate Bill No. 147 requires the Governor's Council on Physical Fitness and Health, established under Executive Order 02-12, to develop the Missouri healthy workplace recognition program.

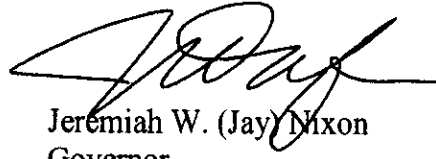
While the intent of the legislation is worthy, House Committee Substitute for Senate Bill No. 147 contains a technical defect. The Governor's Council on Physical Fitness and Health was not "established under Executive Order 02-12" and does not currently exist under that executive order.

The Governor's Council on Physical Fitness and Health was established by Executive Order 86-06. Executive Order 02-12, referenced in House Committee Substitute for Senate Bill No. 147, reauthorized the council with some changes. However, Executive Order 02-12 is no longer operative, and the council as reflected in Executive Order 02-12 does not currently exist. Executive Order 02-12 was explicitly superseded by Executive Order 07-10 which established the council as it is presently constituted.

While the purpose of the legislation to recognize employers that promote more healthy lifestyles is commendable, the reference in House Committee Substitute for Senate Bill No. 147 to the incorrect executive order will lead either to an inability to implement the provisions of the bill or confusion as to appropriate composition of the Governor's Council on Physical Fitness and Health.

In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Bill No. 147 without my approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay Nixon", written in a cursive style.

Jeremiah W. (Jay) Nixon  
Governor